

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
384 Woodward Court and
Timberview Way
1821 Timberview Way
14th Election District
1st Councilmanic District
Lee Parsons, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-9-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1A04.1.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow 55 ft. (addition-Master Bedroom) in lieu of 75 ft. from center line of street, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners, having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section

107.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of August 1991 that the petition for a Zoning Variance from Section 1A04.1.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow 55 ft. (addition-Master Bedroom) in lieu of 75 ft. from center line of street, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 10 day appellate process from this order has expired. If, for whatever reason, this order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall not allow or cause the addition to be converted to a second dwelling unit and/or apartment.
3. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

Robert Haines
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

By: JRH/mm

CASE NUMBER

PETITIONER'S EXHIBIT # 2

June 11, 1991
Baltimore County Department of Zoning
Re: Addition to 3821 Timberview Way

To Whom it May Concern:

I am a neighbor of Merle and Lee Parsons and have reviewed the plans for their proposed addition. I understand that they require a variance of the side yard setback from 50' to 30'. I have no objections to their being granted this variance.

Address

Name

Address

Name

Address

Name

Address

Name

Date

Date

Date

Date

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

92-9-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty):

Planned addition is for a Master Bedroom suite. Petitioners require additional bedroom space in existing house for two (2) teenage daughters. Rear yard is not suitable for addition due to pool and septic area. The only space left is side yard where addition is contemplated.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioners:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

LEVIN/BROWN & ASSOCIATES, INC.

Name 17 Warren Road, Suite 7-B

Address Baltimore, MD 21208 (301) 486-0000

ORDERED by the Zoning Commissioner of Baltimore County, this 26th day of August, 1991, that the subject matter of this petition be posted on the property on or before the 26th day of August, 1991.

ESTIMATED LENGTH OF NEIGHBORLY ADVERTISEMENT FOR HEARING

MON./TUESDAY - 1-1/2 HRS. + 1HR.

ALL OTHER MON./TUESDAY - 1-1/2 HRS. + 1HR.

REVIEWED BY: J. H. Haines

A PUBLIC HEARING WITH NEIGHBORLY ADVERTISEMENT IS REQUIRED.

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 26th day of August, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 26th day of August, 1991, at 10:00 o'clock, a.m.

ORDERED FOR FILING

By: JRH/mm

CASE NUMBER

PETITIONER'S EXHIBIT # 3



AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

92-9-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

Planned addition is for a Master Bedroom suite. Petitioners require additional bedroom space in existing house for two (2) teenage daughters. Rear yard is not suitable for addition due to pool and septic area. The only space left is side yard where addition is contemplated.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Affiant (Handwritten Signature)

Affiant (Handwritten Signature)

Affiant (Printed Name)

Affiant (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 26th day of August, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in the form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

DATE

DATE

My Commission Expires: 11/1/92

CASE NUMBER

PETITIONER'S EXHIBIT # 2

CASE NUMBER

PETITIONER'S EXHIBIT # 4



Subdivision name: NORTHINGTON HILLSIDE II
 DED NO# 52, folio# 24, lot# 4, section# 2
 OWNER: LEE & MERCE PARSONS

see pages 5 & 6 of the CHECKLIST for additional required information

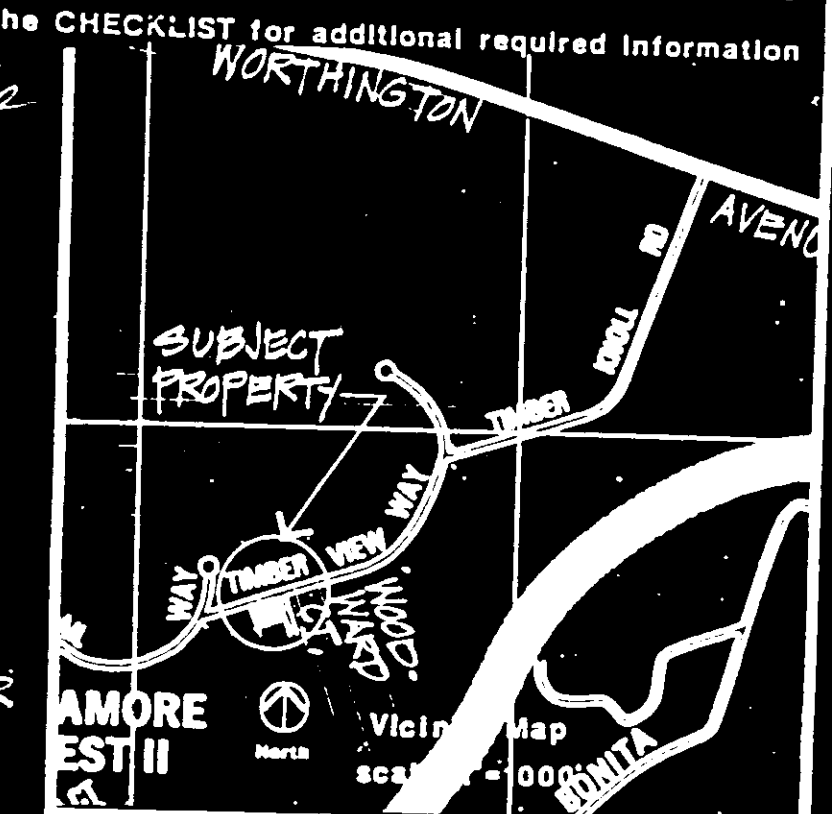
Petitioner's
 exhibit 1

NORTHINGTON



North
Date: 7/2/91
Prepared by: LEVIN & BROWN & ASSOC. INC.
456-9000

92-9-A
Scale of Drawing: 1" = 50'



LOCATION INFORMATION

Councilmanic District: B

Election District: 4

1"=200' scale map#: NW-171

Zoning: RCS

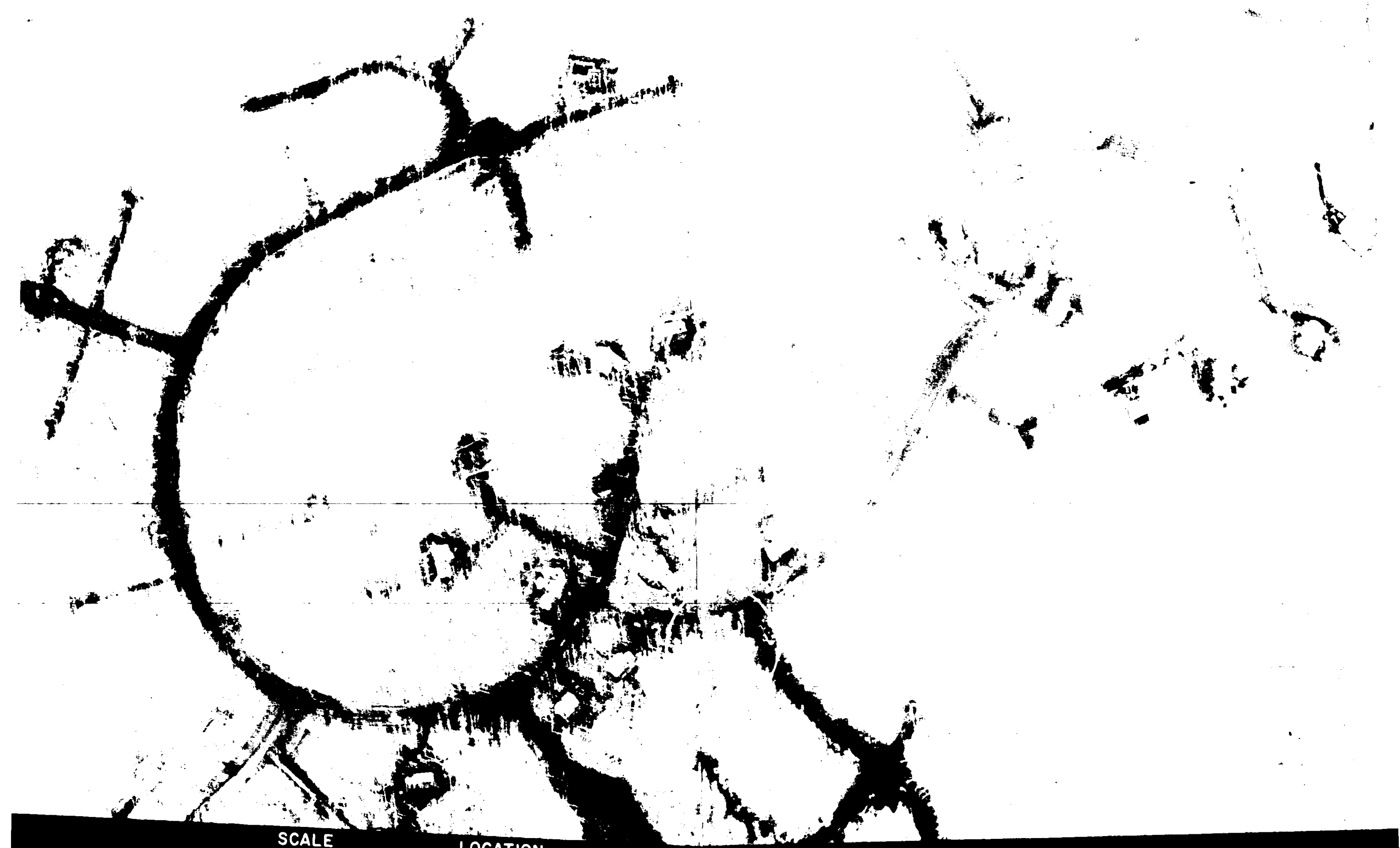
Lot size: 1.1324 44,992.06
acres square feet

	public	private
SEWER:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WATER:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	pub	pr

Chesapeake Bay Critical Area: _____

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!



SCALE	LOCATION	SHEET
1" = 200' ±		

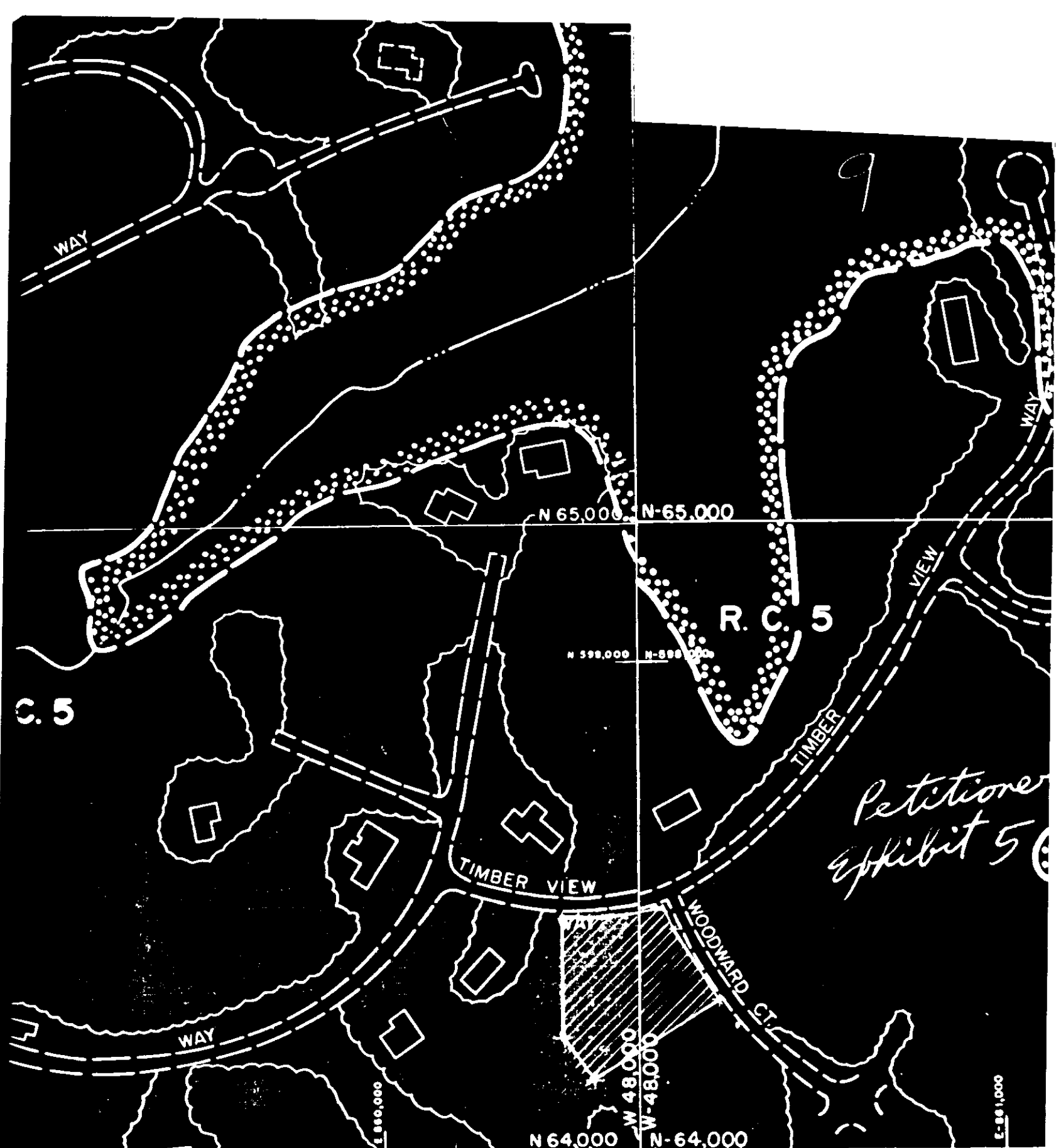
DATE OF PHOTOGRAPHY JANUARY 1986

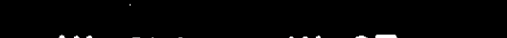
WORTHINGTON

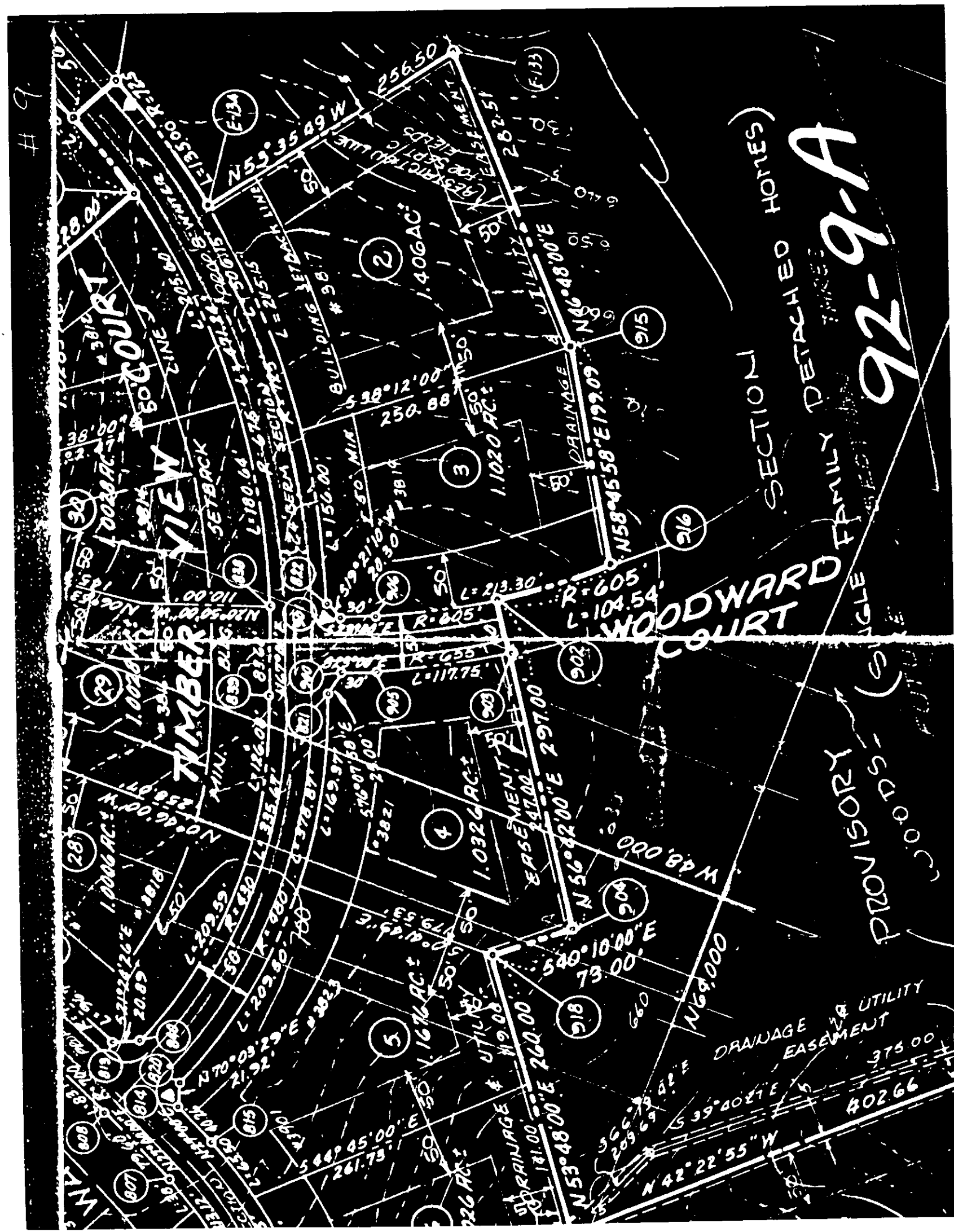
NW 17-I


PREPARED BY AIR PHOTOGRAPHICS, INC.
TINSBURG, W.V. 25401

92-9-A 9



E	LOCATION	SHEET	W-SW	W-SE
00' ±	WORTHINGTON	N.W.		
E		17-1		
PHYSICAL				
<p>THIS MAP HAS BEEN REVISED IN SELECTED TOPOGRAPHY COMPILED BY PHOTOGRAM BY MICHAEL HORIN, INC. BALTIMORE, MD.</p>				



		Baltimore County Zoning Commissioner County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204	receipt
Date		Account: R-001-6150	
To		Number	
Payable To			
Amount			
Cashier's Signature			
Cashier's Name			
Cashier's Title			
Cashier's Office			
Cashier's Phone			
Cashier's Fax			
Cashier's Email			
Cashier's Address			
Cashier's City			
Cashier's State			
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Cashier's Subtract</			



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

August 23, 1991

Mr. and Mrs. Lee Parsons
3821 Timberview Way
Reisterstown, Maryland 21136

RE: Petition for Residential Zoning Variance
Case No. 92-9-A

Dear Mr. and Mrs. Parsons:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmm

encl:

cc: Peoples Counsel



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
8th day of July, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Lee Parsons, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: August 18, 1991

FROM: Pat Kellor, Deputy Director
Office of Planning and Zoning

SUBJECT: Walker Property, Item No. 305
Parsons Property, Item No. 9
Conovan Property, Item No. 10
Wolf Property, Item No. 17
Pearson Property, Item No. 19
Stifler Property, Item No. 22
Polts Property, Item No. 24
Welch Property, Item No. 25
Faulkner Property, Item No. 27
Medilton Property, Item No. 32
Horne Property, Item No. 33
Blanic Property, Item No. 38
Mudrago Property, Item No. 39
Copeland Property, Item No. 42
Eckert Property, Item No. 44
Hartel Property, Item No. 50
Simbel/Garfinoy Property, Item No. 51

In reference to the Petitioners' requests, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3311.

PK/JL/pat

NUMEROUS.ITM/ZAC1

Date: August 30, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z. A. C. Comments

Z. A. C. MEETING DATE: July 30, 1991

This office has no comments for item numbers 505,
3, 9, 10, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 30 and 31.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF:bza

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: August 1, 1991

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for July 30, 1991

The Development Engineering Division has reviewed the subject zoning items and we have no comments for Items 105, 3, 7, 9, 16, 17, 18, 19, 21, 22, 23, 24, 27, 30 and 31.

For Item 20, the extension of public water, sewer and paving may be required prior to issuance of a building permit for this lot.

For Item 10, the previous County Review Group comments are still applicable.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Development Engineering Division

RWB:cc

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: August 3, 1991
Posted for: 11th District
Petitioner: Lee Parsons, et ux
Location of property: 3821 Timberview Way, Reisterstown, MD 21136
Location of Sign: 3821 Timberview Way
Remarks: None
Posted by: Rahee J. Famili Date of return: August 10, 1991
Number of Signs: 1



111 West Chesapeake Avenue
Towson, MD 21204

August 5, 1991

887-3353

Mr. & Mrs. Lee Parsons
3821 Timberview Way
Reisterstown, MD 21136

RE: Item No. 9, Case No. 92-9-A
Petitioner: Lee Parsons, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Parsons:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Levin & Brown & Associates, Inc.
17 Warren Road, Suite 7-B
Baltimore, MD 21208



111 West Chesapeake Avenue
Towson, MD 21204

July 23, 1991

887-3353

Mr. and Mrs. Lee Parsons
3821 Timberview Way
Reisterstown, Maryland 21136

Re: CASE NUMBER: 92-9-A
LOCATION: SAC Woodard Court and Timberview Way
3821 Timberview Way

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before August 4, 1991. The closing date is August 19, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. S. Stephens
G. S. STEPHENS
(301) 887-3391